

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
Cannon Health Building Room 125
288 North 1460 West
Salt Lake City, Utah 84116
November 19, 2004
9:30 a.m.

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Rob Adams	Dianne Nielson
Ray Child	Jay Olsen
Paula Dougherty	Mayor Joe Piccolo
Neil Kochenour	Ron Sims
Mayor Douglas Thompson	Ann Wechsler

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Randy Taylor, Faye Bell, Bill Moellmer, Theron Miller, Karin Tatum, Mike Reichert, Sid Curnow, Gennaro Dicataldo, Tom Toole, Ed Macauley

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Fred Nelson	Attorney Generals Office
Mark Davidson	Sunrise Engineering
Teri Fellenz	Willard City
Doug Nielsen	Sunrise Engineering
Lowell Peterson	Wolf Creek Sewer Imp Dist
Phil Wright	Local Health Departments
Marty Banks	Stoel Rives...Consolidation Coal
Jean Loveland	Willard City
John Gefferth	Consol Energy
Steven Roberts	Wolf Creek Sewer Imp Dist
Reed Fisher	CVWRF
Richard Fountain	Pacificorp

Chairman Child called the Board meeting to order at 9:40 a.m. He welcomed those in attendance. Mr. Child invited the members of the audience to introduce themselves. Dan Griffin and Jeff Studenka were introduced to the Board as new staff to the Division of Water Quality.

Introduction of Phil Wright: Mr. Child introduced Phil Wright, who will be representing the Local Health Departments at all Water Quality Board meetings.

APPROVAL OF MINUTES OF THE OCTOBER 15, 2004 MEETING

Motion: **It was moved by Mayor Piccolo and seconded by Ron Sims to approve the minutes of the October 15, 2004 Board meeting. The motion was to unanimously approve the minutes with no changes.**

RULEMAKING

Rulemaking: Bill Moellmer referred the Board to Tab 2 of the packet. Staff is requesting the Board authorization to initiate rulemaking to *R317-2 Standards of Quality for Waters of the State*. Included in the packet are:

- 1) Staff's summary of changes to the Water Quality Standards;
- 2) mark-up of the changes to the Water Quality Standards;
- 3) changes in other DWQ Rules caused by E.coli adoption and
- 4) a Power Point Presentation of the changes.

Listed on page 2.2 are the changes staff is recommending to the Water Quality Standards.

1. The description of the beneficial uses designation for the Great Salt Lake (GSL) (Class 5) be changed to be more descriptive.
2. Typo correction for Lake Powell (p. 2.13),
3. Willard Creek be removed from the Bear River drainage,
4. The reference to site specific criteria for total ammonia for the Jordan River be removed,
5. Secondary recreation beneficial use classification designation be added to all National Wildlife Refuges and State Waterfowl Management Areas,
6. E.coli bacteriological criteria be added to the standards with the concurrent removal of total and fecal coliform bacteria,
7. Numeric criteria changes and additions in Class 1C waters (Domestic Source),
8. Removal of the 200 mg/l TDS limit for stock watering,
9. Twenty one (21) river segments be given site-specific TDS criteria.
10. Other numeric criteria changes for nickel and total residual chlorine in Class 3 waters.
11. The pollution indicator total phosphorus be added to Class 3A waters and removed from Class 3C waters,
12. Correction of formula for determining where fish early life Stages are Absent.
13. Correction of the formula to convert dissolved sulfide to un-disassociated hydrogen sulfide.
14. Correction of a value of Table 2.14.3a and Table 2.14.3b to clarify the intent of the table (p. 59).
15. Redefining the caption of Table 2.14.3a and Table 2.14.3b to clarify the intent of the table (p. 61-62).
16. Correction of a formula for determining the Chromium III standard.
17. Various numeric criteria for aquatic wildlife and human health criteria be adjusted.

Staff had also proposed eliminating the 2,000 mg/l TDS standard for stock watering (p.2.55). There was discussion about the possible effect of this change. Mr. Childs suggested the staff report back to the Board after reviewing the matter further and suggested that for now not make changes to the TDS portion of the Rule not be made.

Motion: **It was moved by Ms. Doughty and seconded by Mr. Adams to authorize staff to proceed with rulemaking on the proposed changes to R317-2 with the exception that the portion of the rule that pertains to the TDS standards will remain unchanged. The motion was unanimously approved.**

LOAN PROGRAM

Financial Assistance Status Report – Mr. Curnow updated the Board on the “Summary of Assistance Program Funds” as outlined on page 3.1 and 3.2.

Study Proposal for Central Valley Jordan River Return Flow Study: Ms. Tatum introduced Reed Fisher from Central Valley. CVWRF is requesting a Grant in the amount of \$20,000 to contribute to a study of the Jordan River return flow for water reuse in the Salt Lake Valley. The study is intended to characterize return flows in the lower Jordan River, with impacts as far upstream as Turner Dam. This study will allow CVWRF to consider the impacts to the lower Jordan River, which may result from increased wastewater recycling and increased importation of water supplies in future years. Staff recommended the Water Quality Board authorize a \$20,000 Grant to CVWRF to perform a Study of the Jordan River return flows for water reuse in the Salt Lake Valley.

Motion: **It was moved by Mayor Piccolo to approve the Grant requested for \$20,000 to Central Valley. The motion was seconded by Dr. Sims and was unanimously approved.**

Planning Advance for Willard City: Mr. Dicaldo introduced Mayor Jean Loveland and Rodney Mund a councilmember of Willard City and Mark Davidson of Sunrise Engineering. Willard City is requesting a Planning Advance in the amount of \$50,000 for a wastewater collection and treatment system study. This project is being driven by the City’s realization that on-site wastewater treatment is a temporary solution to its wastewater needs and that more onsite wastewater treatment systems will continue to be build to accommodate growth as it occurs. Willard City desires to study the different options to treat and collect its wastewater and phase-out the current septic systems that could potentially present a source of pollution to the City’s groundwater. Staff recommends that the Water Quality Board authorize a \$50,000 Planning Advance to Willard City to complete the Wastewater Treatment Facility Study. Mr. Adams noted on 3.7 that it states, “a large wastewater septic drain-field was approved.” He suggested whether this was coated in zone 2 of the source protection area and how could the approval for a onsite system occur in a zone 2 of a source protection area. The Mayor responded that it was actually about 1-1/2 miles away from the source protection area. Mr. Olsen followed up by asking about the statement “1.4 acres per septic system is recommended to maintain acceptable nitrogen levels in the groundwater.” He asked if these systems are still being approved on smaller acreages and if systems being approved are standard or alternative systems? The Mayor explained that the State regulates what the percolation rate is and has said in rural areas that ½ acre lots can be accommodated depending on the percolation rates. Mr. Phil Wright from the Local Health Department explained that groundwater studies are done to determine the density of septic tanks to be allowed in certain areas. Mr. Baker explained that the State of Utah allows the use of four alternative systems where conventional systems cannot be used. The Bear River Health Department would need to request that alternative systems be allowed in its jurisdiction. Mr. Olsen also questioned why the Board is seeing needs of communities that have allowed the problem to get severe. Ms. Wechsler questioned if they have a master plan allowing some real open space such as real agriculture space. She noted this request seems to be developer driven and not due to problem with the onsite systems. The Mayor said the developers are interested and there are some ground water concerns. Mr. Baker addressed Jay’s initial question by stating that “unless a community has done a hydrologic study that identifies density problems with on-

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site systems, these systems are approved singularly. As long as the lots are being developed singularly these problems will occur.”

Mr. Olsen noted on the cost sharing that there is no local contribution and if the developers are interested they should be offering some sort of contribution. Mayor Thompson agreed and Ms. Nielson said this could be something to consider if they pursue the project after the study. Mr. Childs pointed out that the planning advance must be expeditiously repaid at the completion of the study whether or not a project is implemented as a result of this study. He noted that the Board often sees communities which decide against the project and then ask for forgiveness of the obligation. Dr. Kochenour emphasized that the planning advance needs to be paid back.

Dr. Kochenour suggested that the Board look closer in the future at Community contributions and that staff should make communities aware of the need for local contributions for any future funding. Mr. Macauley stated that some communities that come before the board presently provide sewer services and collect fees. However, many communities do not provide sewer services and do not have the revenue stream to provide a local contribution because they don't provide sewer services. Nevertheless, these applicants are still required to pay back any advances and the funds for this would have to come from their general funds because they cannot charge a user fee or impact fees. Also, unsewered communities do not take part in the approval process for onsite systems; these are approved by the local health department. Mr. Baker suggested addressing this issue at a future work meeting.

Motion: **It was moved by Mayor Thompson to approve the \$50,000 Planning Advance of \$50,000 requested with the conditions stated in the packet. The motion was seconded by Dr. Sims and was approved. Noting that Ms. Wechsler opposed the motion and Mr. Adams abstained from voting.**

Planning Advance for Wolf Creek: Ms. Tatum introduced Lowell Peterson and Steve Roberts with Wolf Creek and Brad Rasmussen from Aqua Engineering. Wolf Creek Sewer Improvement District is requesting a Planning Advance in the amount of \$52,000 to evaluate upgrading the existing lagoon system and plan for the future. The study will include verification of existing flow conditions at the present sewage lagoons, estimate the projected flow to be produced, different disposal methods, identify treatment alternatives, prepare preliminary design, determine environmental impact of selected alternative, discuss with Powder Mountain about combining systems and leave open the possibility of working with the County to develop treatment capacity for other areas in the valley that could be served by the facility. Staff recommended that the Board authorize a \$52,000 Planning Advance to Wolf Creek Sewer Improvement District to evaluate the existing lagoon system and future needs.

Motion: **It was moved by Mayor Piccolo to approve the \$52,000 Planning Advance requested with the conditions recommended by staff. The motion was seconded by Dr. Sims and was approved. Ms. Wechsler opposed the motion.**

OTHER BUSINESS

2004 Water Quality Assessment and Impaired Waters (303(d)) List: Mr. Toole from the Division of Water Quality referred the Board to Tab 4 of the packet, pages 1 through 8. Utah monitors and assesses its surface waters, rivers, streams, lakes and reservoirs on a regular basis

to determine whether they are supporting their beneficial uses. Among other things, these assessments identify impacts from pollution sources so efforts can be taken to protect and improve water quality. A report to Congress on the quality of Utah's waters is also required to be provided to Congress every two years. This fact sheet contains a summary of information in the 2004 Water Quality Assessment Report to Congress.

2004 Lakes Assessment: Mr. Miller from the Division of Water Quality gave a presentation of the results of the 2004 Lakes Assessment.

NEXT MEETING

The next Water Quality Board meeting will be held on January 21, 2005 at the Cannon Health Building in Room 125 at 9:30 a.m.

Ray Child, Chairman

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